

Vermont State Law  
VT Stat. Ann.  
Title 13. Crimes and Criminal Procedure

Chapter 37. Explosives

**1603. Definitions.** For the purposes of this chapter:

(1) **"Destructive device"** means any:

(A) explosive, incendiary or poison gas bomb; or

(B) explosive, incendiary or poison gas grenade; or

(C) explosive, incendiary or poison gas rocket having a propellant charge of more than four ounces; or

(D) explosive, incendiary or poison gas missile having an explosive or incendiary charge of more than one-quarter ounce; or

(E) explosive, incendiary or poison gas mine; or

(F) device which consists of or includes a breakable container including a flammable liquid or compound, and a wick composed of any material which, when ignited, is capable of igniting the flammable liquid or compound, and can be carried or thrown by one individual acting alone; or

(G) device similar to those devices enumerated in paragraphs (1), (A)-(E) of this section. A destructive device does not include a firearm or ammunition therefor.

(2) **"Explosive"** \* \* \* The term does not include a firearm or ammunition therefor or any components of ammunition for a firearm including primers, smokeless powder or black gunpowder.

(3) **"Hoax device"** means any device so designed, assembled, fabricated or manufactured as to convey the physical appearance of an explosive or incendiary bomb or the physical appearance of any of the devices enumerated in subdivisions (A)-(F) for division (1) of this section which is lacking an explosive or incendiary charge.

**1604. Possession of destructive devices.** A person who manufactures, possesses, stores or transports a destructive device or a hoax device shall be imprisoned for not more than 10 years or fined not more than \$5,000.00, or both. \* \* \* \*

**1611. Exemptions.**

(a) Nothing contained in this chapter shall apply to the armed forces of the United States, the duly authorized militia of the state, the fire or police departments of this state, or to the state or any subdivision thereof.

(b) Nothing contained in this chapter shall apply to destructive devices or explosives while being transported upon vessels, motor vehicles or railroad cars in conformity with the regulations adopted by the interstate commerce commission.

(c) The provisions of section 1604 of this title do not apply to a person who holds a valid license issued under Title 18 of the United States Code, chapter 44, to manufacture, possess, use, store or transport a destructive device provided he is complying with the terms of the license.

**1612. Placing a hoax device.** A person who wilfully and maliciously puts, places or installs a hoax device in any building, house, facility of public transport, vehicular conveyance, ship, boat, aircraft, dam or reservoir for storing water shall be imprisoned for not more than \$5,000, or both.

## Chapter 85. Weapons

### **4004. By persons at school.**

(a) A person who carries or has in his or her possession a firearm, \* \* \* \* or other dangerous or deadly weapon while within a school building, shall be imprisoned not more than 60 days or fined not more than \$500, or both; however, the board of school directors may authorize the possession and use of firearms or other weapons for specific occasions or for instructional purposes when facilities for such instruction are available.

(b) This section shall not apply to a law enforcement officer while engaged in law enforcement duties.

**4006. Record of firearm sales.** All pawnbrokers and retail merchants dealing in firearms shall keep a record book in which they shall record the sale by them of all revolvers and pistols, and the purchase by them of all secondhand revolvers and pistols. Such record shall include the date of the transaction, the marks of identification of the firearm, including the manufacturer's name, the caliber, model and manufacturer's number of the firearm, the name, address, birthplace, occupation, age, height, weight and color of eyes and hair of the purchaser or seller. Such purchaser or seller shall sign his name to the record and the pawnbroker or merchant shall preserve such record book for six years after the date of last entry and shall permit all enforcement officers to inspect the same at all reasonable times. A person, partnership or corporation who violates a provision of this section shall be fined not more than \$100.00.

**4007. Furnishing firearms to children.** A person, firm or corporation, other than a parent or guardian, who sells or furnishes to a minor under the age of sixteen years a firearm or other dangerous weapon or ammunition for firearms shall be fined not more than \$50.00 nor less than \$10.00. This section shall not apply to an instructor or teacher who furnishes firearms to pupils for instruction and drill.

**4008. Possession of firearms by children.** A child under the age of sixteen years shall not, without the consent of his parents or guardian, have in his possession or control a pistol or revolver constructed or designed for the use of gunpowder or other explosive substance with leaden ball or shot. A child who violates a provision of this section shall be deemed a delinquent child under the provisions of chapter 11 of Title 33.

**4010. Gun silencers.** A person who manufactures, sells or uses or possesses with intent to sell or use, an appliance known as or used for a gun silencer shall be fined \$25.00 for each offense. The provisions of this section shall not prevent the use or possession of gun silencers for military purposes when so used or possessed under proper military authority and restriction.

**4013. Zip guns; \* \* \*** A person who possesses, sells or offers for sale a weapon commonly known as a "zip gun", \* \* \* shall be imprisoned not more than ninety days or fined not more than \$100.00, or both.

**4016. Weapons in court.**

(a) As used in this section:

(1) **"Courthouse"** means a building or any portion of a building designated by the supreme court of Vermont as a courthouse.

(2) **"Dangerous or deadly weapon"** means any firearm, or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.

(3) **"Firearm"** means any weapon, whether loaded or unloaded, which will expel a projectile by the action of an explosive and includes any weapon commonly referred to as a pistol, revolver, rifle, gun, machinegun or shotgun.

(4) **"Law enforcement officer"** means a person certified by the Vermont criminal justice training council as having satisfactorily completed the approved training programs required to meet the minimum training standards applicable to that person pursuant to 20 V.S.A. s.2358.

(5) **"Secured building"** means a building with controlled points or public access, metal screening devices at each point of public access, and locked compartments, accessible only to security personnel, for storage of checked firearms.

(b) A person who, while within a courthouse and without authorization from the court,

(1) carries or has in his or her possession a firearm; or

(2) knowingly carries or has in his or her possession a dangerous or deadly weapon, other than a firearm, shall be imprisoned not more than one year or fined not more than \$500, or both.

(c) Notice of the provisions of subsection (b) of this section shall be posted conspicuously at each public entrance to each courthouse.

(d) No dangerous or deadly weapon shall be allowed in a courthouse that has been certified by the court administrator to be a secured building.

## **Title 24**

### **Chapter 61. Regulatory Provisions**

**2295. Authority of municipal and county governments to regulate firearms, ammunition, hunting, fishing and trapping.** Except as otherwise provided by law; no town, city or incorporated village, by ordinance, resolution or other enactment, shall directly regulate hunting, fishing and trapping or the possession, ownership, transportation, transfer, sale, purchase, carrying, licensing or registration of traps, firearms, ammunition or components of firearms or ammunition. This section shall not limit the powers conferred upon a town, city or incorporated village under section 2291(8) of this title. The provisions of this section shall supersede any inconsistent provisions of a municipal charter.